



General Assembly

February Session, 2016

Raised Bill No. 5460

LCO No. 2012



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE ADMINISTRATION OF GLUCAGON IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-212a of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2016*):

4 (a) (1) A school nurse or, in the absence of such nurse, any other
5 nurse licensed pursuant to the provisions of chapter 378, including a
6 nurse employed by, or providing services under the direction of a local
7 or regional board of education at, a school-based health clinic, who
8 shall administer medical preparations only to students enrolled in such
9 school-based health clinic in the absence of a school nurse, the
10 principal, any teacher, licensed athletic trainer, licensed physical or
11 occupational therapist employed by a school district, or coach of
12 intramural and interscholastic athletics of a school may administer,
13 subject to the provisions of subdivision (2) of this subsection,
14 medicinal preparations, including such controlled drugs as the
15 Commissioner of Consumer Protection may, by regulation, designate,

16 to any student at such school pursuant to the written order of a
17 physician licensed to practice medicine, or a dentist licensed to practice
18 dental medicine in this or another state, or an optometrist licensed to
19 practice optometry in this state under chapter 380, or an advanced
20 practice registered nurse licensed to prescribe in accordance with
21 section 20-94a, or a physician assistant licensed to prescribe in
22 accordance with section 20-12d, and the written authorization of a
23 parent or guardian of such child. The administration of medicinal
24 preparations by a nurse licensed pursuant to the provisions of chapter
25 378, a principal, teacher, licensed athletic trainer, licensed physical or
26 occupational therapist employed by a school district, or coach shall be
27 under the general supervision of a school nurse. No such school nurse
28 or other nurse, principal, teacher, licensed athletic trainer, licensed
29 physical or occupational therapist employed by a school district, coach
30 or school paraprofessional administering medication pursuant to this
31 section shall be liable to such student or a parent or guardian of such
32 student for civil damages for any personal injuries that result from acts
33 or omissions of such school nurse or other nurse, principal, teacher,
34 licensed athletic trainer, licensed physical or occupational therapist
35 employed by a school district, coach or school paraprofessional
36 administering medication pursuant to this section in administering
37 such preparations that may constitute ordinary negligence. This
38 immunity does not apply to acts or omissions constituting gross, wilful
39 or wanton negligence.

40 (2) Each local and regional board of education that allows a school
41 nurse or, in the absence of such nurse, any other nurse licensed
42 pursuant to the provisions of chapter 378, including a nurse employed
43 by, or providing services under the direction of a local or regional
44 board of education at, a school-based health clinic, who shall
45 administer medical preparations only to students enrolled in such
46 school-based health clinic in the absence of a school nurse, the
47 principal, any teacher, licensed athletic trainer, licensed physical or
48 occupational therapist employed by a school district, coach of

49 intramural and interscholastic athletics or school paraprofessional of a
50 school to administer medicine or that allows a student to self-
51 administer medicine, including medicine administered through the
52 use of an asthmatic inhaler or an automatic prefilled cartridge injector
53 or similar automatic injectable equipment, shall adopt written policies
54 and procedures, in accordance with this section and the regulations
55 adopted pursuant to subsection (c) of this section, that shall be
56 approved by the school medical advisor, if any, or other qualified
57 licensed physician. Once so approved, such administration of
58 medication shall be in accordance with such policies and procedures.

59 (3) A director of a school readiness program as defined in section
60 10-16p or a before or after school program exempt from licensure by
61 the Department of Public Health pursuant to subdivision (1) of
62 subsection (b) of section 19a-77, or the director's designee, may
63 administer medications to a child enrolled in such a program in
64 accordance with regulations adopted by the State Board of Education
65 in accordance with the provisions of chapter 54. No individual
66 administering medications pursuant to this subdivision shall be liable
67 to such child or a parent or guardian of such child for civil damages for
68 any personal injuries that result from acts or omissions of such
69 individual in administering such medications which may constitute
70 ordinary negligence. This immunity shall not apply to acts or
71 omissions constituting gross, wilful or wanton negligence.

72 (b) Each school wherein any controlled drug is administered under
73 the provisions of this section shall keep such records thereof as are
74 required of hospitals under the provisions of subsections (f) and (h) of
75 section 21a-254 and shall store such drug in such manner as the
76 Commissioner of Consumer Protection shall, by regulation, require.

77 (c) The State Board of Education, in consultation with the
78 Commissioner of Public Health, shall adopt regulations, in accordance
79 with the provisions of chapter 54, determined to be necessary by the
80 board to carry out the provisions of this section, including, but not

81 limited to, regulations that (1) specify conditions under which a coach
82 of intramural and interscholastic athletics may administer medicinal
83 preparations, including controlled drugs specified in the regulations
84 adopted by the commissioner, to a child participating in such
85 intramural and interscholastic athletics, (2) specify conditions and
86 procedures for the administration of medication by school personnel to
87 students, including the conditions and procedures for the storage and
88 administration of epinephrine by school personnel to students for the
89 purpose of emergency first aid to students who experience allergic
90 reactions and who do not have a prior written authorization for the
91 administration of epinephrine, in accordance with the provisions of
92 subdivision (2) of subsection (d) of this section, and (3) specify
93 conditions for self-administration of medication by students, including
94 permitting a child diagnosed with: (A) Asthma to retain possession of
95 an asthmatic inhaler at all times while attending school for prompt
96 treatment of the child's asthma and to protect the child against serious
97 harm or death provided a written authorization for self-administration
98 of medication signed by the child's parent or guardian and an
99 authorized prescriber is submitted to the school nurse; and (B) an
100 allergic condition to retain possession of an automatic prefilled
101 cartridge injector or similar automatic injectable equipment at all times
102 while attending school for prompt treatment of the child's allergic
103 condition and to protect the child against serious harm or death
104 provided a written authorization for self-administration of medication
105 signed by the child's parent or guardian and an authorized prescriber
106 is submitted to the school nurse. The regulations shall require
107 authorization pursuant to: (i) The written order of a physician licensed
108 to practice medicine in this or another state, a dentist licensed to
109 practice dental medicine in this or another state, an advanced practice
110 registered nurse licensed under chapter 378, a physician assistant
111 licensed under chapter 370, a podiatrist licensed under chapter 375, or
112 an optometrist licensed under chapter 380; and (ii) the written
113 authorization of a parent or guardian of such child.

114 (d) (1) (A) With the written authorization of a student's parent or
115 guardian, and (B) pursuant to the written order of a qualified medical
116 professional, a school nurse and a school medical advisor, if any, may
117 jointly approve and provide general supervision to an identified
118 school paraprofessional to administer medication, including, but not
119 limited to, medication administered with a cartridge injector, to a
120 specific student with a medically diagnosed allergic condition that
121 may require prompt treatment in order to protect the student against
122 serious harm or death.

123 (2) A school nurse or, in the absence of a school nurse, a qualified
124 school employee shall maintain epinephrine in cartridge injectors for
125 the purpose of emergency first aid to students who experience allergic
126 reactions and do not have a prior written authorization of a parent or
127 guardian or a prior written order of a qualified medical professional
128 for the administration of epinephrine. A school nurse or a school
129 principal shall select qualified school employees to administer such
130 epinephrine under this subdivision, and there shall be at least one such
131 qualified school employee on the grounds of the school during regular
132 school hours in the absence of a school nurse. A school nurse or, in the
133 absence of such school nurse, such qualified school employee may
134 administer such epinephrine under this subdivision, provided such
135 administration of epinephrine is in accordance with policies and
136 procedures adopted pursuant to subsection (a) of this section. Such
137 administration of epinephrine by a qualified school employee shall be
138 limited to situations when the school nurse is absent or unavailable.
139 No qualified school employee shall administer such epinephrine under
140 this subdivision unless such qualified school employee annually
141 completes the training program described in section 10-212g. The
142 parent or guardian of a student may submit, in writing, to the school
143 nurse and school medical advisor, if any, that epinephrine shall not be
144 administered to such student under this subdivision.

145 (3) For purposes of this subsection, (A) "cartridge injector" means an
146 automatic prefilled cartridge injector or similar automatic injectable

147 equipment used to deliver epinephrine in a standard dose for
148 emergency first aid response to allergic reactions, (B) "qualified school
149 employee" means a principal, teacher, licensed athletic trainer, licensed
150 physical or occupational therapist employed by a school district, coach
151 or school paraprofessional, and (C) "qualified medical professional"
152 means (i) a physician licensed under chapter 370, (ii) an optometrist
153 licensed to practice optometry under chapter 380, (iii) an advanced
154 practice registered nurse licensed to prescribe in accordance with
155 section 20-94a, or (iv) a physician assistant licensed to prescribe in
156 accordance with section 20-12d.

157 (e) (1) With the written authorization of a student's parent or
158 guardian, and (2) pursuant to a written order of the student's physician
159 licensed under chapter 370, a school nurse or a school principal shall
160 select, and a school nurse shall provide general supervision to, a
161 qualified school employee to administer medication with injectable
162 equipment used to administer glucagon to a student with diabetes that
163 may require prompt treatment in order to protect the student against
164 serious harm or death. Such authorization shall be limited to situations
165 when the school nurse is absent or unavailable. No qualified school
166 employee shall administer medication under this subsection unless (A)
167 such qualified school employee annually completes any training
168 required by the school nurse and school medical advisor, if any, in the
169 administration of medication with injectable equipment used to
170 administer glucagon, and (B) the school nurse and school medical
171 advisor, if any, have attested, in writing, that such qualified school
172 employee has completed such training. [, and (C) such qualified school
173 employee voluntarily agrees to serve as a qualified school employee.]
174 For purposes of this subsection, "injectable equipment used to
175 administer glucagon" means an injector or injectable equipment used
176 to deliver glucagon in an appropriate dose for emergency first aid
177 response to diabetes. For purposes of this subsection, "qualified school
178 employee" means a principal, teacher, licensed athletic trainer, licensed
179 physical or occupational therapist employed by a school district, coach

180 or school paraprofessional.

181 (f) (1) (A) With the written authorization of a student's parent or
182 guardian, and (B) pursuant to the written order of a physician licensed
183 under chapter 370, a school nurse and a school medical advisor, if any,
184 shall select, and a school nurse shall provide general supervision to, a
185 qualified school employee to administer antiepileptic medication,
186 including by rectal syringe, to a specific student with a medically
187 diagnosed epileptic condition that requires prompt treatment in
188 accordance with the student's individual seizure action plan. Such
189 authorization shall be limited to situations when the school nurse is
190 absent or unavailable. No qualified school employee shall administer
191 medication under this subsection unless (i) such qualified school
192 employee annually completes the training program described in
193 subdivision (2) of this subsection, (ii) the school nurse and school
194 medical advisor, if any, have attested, in writing, that such qualified
195 school employee has completed such training, (iii) such qualified
196 school employee receives monthly reviews by the school nurse to
197 confirm such qualified school employee's competency to administer
198 antiepileptic medication under this subsection, and (iv) such qualified
199 school employee voluntarily agrees to serve as a qualified school
200 employee. For purposes of this subsection, "qualified school employee"
201 means a principal, teacher, licensed athletic trainer, licensed physical
202 or occupational therapist employed by a school district, coach or
203 school paraprofessional.

204 (2) The Department of Education, in consultation with the School
205 Nurse Advisory Council, established pursuant to section 10-212f, and
206 the Association of School Nurses of Connecticut, shall develop an
207 antiepileptic medication administrating training program. Such
208 training program shall include instruction in (A) an overview of
209 childhood epilepsy and types of seizure disorders, (B) interpretation of
210 individual student's emergency seizure action plan and recognition of
211 individual student's seizure activity, (C) emergency management
212 procedures for seizure activity, including administration techniques

213 for emergency seizure medication, (D) when to activate emergency
214 medical services and postseizure procedures and follow-up, (E)
215 reporting procedures after a student has required such delegated
216 emergency seizure medication, and (F) any other relevant issues or
217 topics related to emergency interventions for students who experience
218 seizures.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2016</i>	10-212a
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Statement of Purpose:

To remove the requirement that a qualified school employee voluntarily agrees to administer glucagon to a student with diabetes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]